



State of California

Employment Training Panel

Arnold Schwarzenegger, Governor

March 2, 2010

Shannon Merrill, Human Resources Manager
Promega Biosciences, Inc.
277 Granada Drive
San Luis Obispo, CA 93401

Dear Ms. Merrill:

RE: FINAL MONITORING VISIT REPORT – Promega Biosciences, Inc. – ET08-0403

Date of the Visit:	02/25/10
Beginning/Ending Time:	11:15 a.m. – 1:30 p.m.
Date of Last Visit:	12/09/08
Visit Location:	San Luis Obispo
Persons in attendance:	Shannon Merrill, HR Manager, Promega Biosciences Rebecca McClintock, Receptionist, Promega Biosciences Lan Vuong, ETP Project Analyst
Action Required:	No

CONTRACT INFORMATION:

Term of Agreement:	02/28/08 – 02/27/10	Agreement Amount:	\$43,992
Training Start Date	02/28/08	No. to Retain:	47
Date Training must be completed:	11/27/09	Range of Hours:	24 – 56
Type of Trainee:	Retrainee	Weighted Average:	52

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ETP (05/16/2007)

FINAL REPORT SUMMARY

• HISTORY OF AGREEMENT CHANGES

The Agreement was executed on April 18, 2008, and training began on February 28, 2008. Ms. McClintock reported that all training was completed on November 24, 2009, which allowed for the 90-day retention period to be completed within the term ending date of the Agreement – February 27, 2010.

ETP approved a request on 12/15/08, to change contract representative.

• FINAL PROJECT STATISTICS

Your Agreement contains a variable reimbursement training plan, which means that reimbursement will be based on the total actual number of training hours completed by each trainee between 24 and 56 training hours. There will be no reimbursement for any trainee who does not complete a minimum of 24 hours of training from the approved curriculum.

According to Ms. McClintock, of the 47 trainees specified on Chart 1, Exhibit A of the Agreement, only 16 trainees completed training and the 90-day retention period. The ETP Class/Lab Tracking Report shows that you have delivered 557.83 class/lab training hours for 16 trainees who meet the minimum hours. This resulted in a completion rate of 34 percent of the number of trainees and approximate earnings of \$10,040.94 which is 23 percent of the Agreement amount.

To date, your company has received \$7,527 in unearned funds; therefore you will receive an additional \$2,513.94, if the anticipated number to retain is verified during the final fiscal closeout.

Ms. McClintock was reminded that this Agreement term end date of February 27, 2010. By the terms of the Agreement the final contract closeout should have been completed within 30 days of the end term date of the Agreement. Ms. McClintock informed the Analyst that she will submit the final contract closeout invoice and associated documents to ETP on or before the close of business on March 27, 2010.

• INTERVIEW WITH CONTRACTOR'S REPRESENTATIVE

Ms. McClintock provided the following reasons why Promega Biosciences was unable to complete training for the 47 trainees specified in the Agreement: trainees did not complete the required minimum of 24 training hours; and the company did not document training on ETP training rosters.

Ms. McClintock stated that although Promega Biosciences did not earn 100 percent of the available funds, the training provided to the employees in Hazardous Material, Continuous Improvement, Management Skills, Business Skills and Computer Skills was very beneficial and practical to their jobs. The trainees benefited from training in a variety of ways including improved efficiencies, made less error handling hazardous materials, and have a better understanding of each position and its process. The training also helps them working independently and confident in their jobs.

PROJECT STATUS PROVIDED BY THE CONTRACTOR:

Trainees Started Training:	62	Completed Training:	16
Trainees Enrolled:	62	In Retention Period:	0
Dropped Following Enrollment:	46	Completed Retention	16
Completed Minimum Required Hours for reimbursement:	16		

The project statistics provided by your project staff matches those listed on the ETP Contract Status Report.

TRAINING RECORDS

Ms. Vuong conducted a random sampling of attendance rosters dated December 9, 2008 through November 24, 2009 of 6 trainees who completed training and retention. Records reviewed validated the completion of the training hours required in this Agreement. Records show that these trainees completed between **24 and 56** total training hours and the completed hours matches those posted on the ETP Online Tracking System. Records reviewed confirmed that the Agreement curriculum was provided as specified and the ratio of trainer to trainee delineated in the Agreement training plan was adhered to.

The above findings are based only on the training records reviewed during this visit and represent only a sample of the training records completed to date. Therefore, it is your responsibility to ensure that all training records comply with Panel requirements for auditing purposes. (Reference: Title 22 California Code of Regulations, Section 4442)

SUBAGREEMENTS:

Training records reviewed during this visit shows that some training services have been subcontracted to outside vendors. Subagreements or training contracts provided to the Analyst during this visit were in compliance with ETP requirements.

- Collaboration LLC of San Luis Obispo - the subagreement contains information required by ETP to justify the provision of training.
- Exact Software of San Mateo - the subagreement contains information required by ETP to justify the provision of training.

INVOICES:

The Analyst validated Invoice 1, P1 for five trainees. The Analyst verified that these trainees completed ETP training of eight hours.

AUDIT

Your company will be notified in writing if this agreement is selected for an audit that will be conducted either at your site (field audit) or by telephone if selected for a desk review. These notifications will be sent in advance to allow ample preparation time and will include a list of documentation that will be examined by the auditor. A list of the documentation typically examined during an audit will be included along with the Audit Notification and Audit Confirmation letters.

To provide support of training, original training attendance documentation is required; photocopied records are not acceptable. Listed below are types of records typically requested during an ETP field audit:

- Training attendance records such as rosters, sign-in sheets, etc.
- Payroll records of individual trainees to verify wage and hours worked
- Personnel records regarding occupation and dates of employment
- Documentation of employer paid health benefits (if applicable)
- Cash receipts to verify receipt and accounting of ETP funds

RECORD RETENTION

Records must be retained within your control and be available for review at your place of business within the State of California. This responsibility will terminate no sooner than four (4) years from the date of the termination of the Agreement or three (3) years from the date of the last payment by ETP to the Contractor, or the date of resolution of appeals, audits, claims, exceptions, or litigation, whichever is later.

Please contact Lan Vuong within ten (10) working days at (818) 755-1306 or by email at lvuong@etp.ca.gov if you have any questions or comments.

Sincerely,

Signature on file

Wally Aguilar, Program Manager
North Hollywood Regional Office

Signature on file

Lan Vuong, Project Analyst
North Hollywood Regional Office

cc: Rebecca McClintock, Receptionist, Promega Biosciences, (via email)

David Guzman, Chief, Audits & Program Operations Division, ETP (via email)
Kulbir Mayall, Manager, Fiscal and Certification, ETP (via email)

Master File
Project file

Date report mailed to Contractor 3/3/10